

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejections of the application are respectfully requested in view of the amendments and remarks herewith. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-4, 6, 7, 12, 15-18, 20, 21, 26, 29-32, 34, and 35 are pending. Claims 1-3, 15-17, and 29-31 are independent claims, and are hereby amended. Claims 5, 9-11, 13, 14, 19, 23-25, 27, 28, 33 and 37-40 are hereby withdrawn from consideration. Support for this amendment is provided throughout the Specification as originally filed. No new matter has been introduced by this amendment. Changes to the claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-4, 6, 7, 12, 15-18, 20, 21, 26, 29-32, 34, and 35 were rejected under 35 U.S.C. § 103 as allegedly unpatentable over U.S. Patent No. 6,710,818 to Kasahara, et al. (hereinafter "Kasahara").

III. RESPONSE TO REJECTIONS

Claim 1 recites, *inter alia*:

“...wherein the estimated flicker component is approximated under the illumination of the fluorescent lamp to a predetermined order and an amplitude and an initial phase of the estimated flicker component is estimated for each order.” (Emphasis added)

Generally claim 1 relates to reducing fluorescent light flicker in a photograph when a subject was photographed under a fluorescent light lamp.

Support for the above-identified features of claim 1 is found at least in paragraphs [0155] and [0156] of the published application, which have been reproduced herein:

[0155] The flicker component is sufficiently approximated under the illumination of an actual fluorescent lamp even if the order number is limited to m-th order. It is not necessary to output all data in the DFT operation. In comparison with the FFT, the DFT suffers from any particular drawback in terms of operation efficiency in the application of this invention.

[0156] The DFT block 51 extracts the spectrum through the DFT operation defined by equation (13), and then estimates the amplitude γ_m and the initial phase Φ_{mn} of the flicker component of each order through an operation represented by equations (16a) and (16b).

Applicants submit that Kasahara discloses a judging whether flicker exists in a video signal by frequency-analyzing results of a divided result of unit areas and reducing flicker component in each of the unit areas.

Applicants submit that Kasahara does not reduce flicker in the same manner as the present claimed invention.

Specifically, after an integrating step, the process varies.

Kasahara summarizes the process as:

“...The integrating circuit 1 integrates pixel levels of a video signal in every horizontal line (unit area) at a frame (field). The memory 2 stores the integration result over a plurality of frames (fields). The averaging circuit 3 averages the integration results of horizontal lines at a

plurality of frames (fields) from the integration result from the integrating circuit 1 and the memory 2. The dividing circuit 4 divides the integration results of horizontal lines by the averaged result of horizontal lines, respectively. The flicker judging circuit 5 judges whether illumination flicker exists in the video signal by frequency-analyzing the dividing results of horizontal lines.”

Applicants submit that such disclosure does not render claim 1 unpatentable.

Kasahara does not teach or suggest that the estimated flicker component is approximated under the illumination of the fluorescent lamp to a predetermined order and an amplitude and an initial phase of the estimated flicker component is estimated for each order, as recited in claim 1.

Furthermore, Applicants submit that the Office Action is silent on any disclosure in Kasahara related to an extraction step as that recited above.

Therefore, Applicants respectfully submit that claim 1 is patentable.

Independent claims 3, 15-17, and 29-31 are similar, or somewhat similar, in scope and are therefore patentable for similar, or somewhat similar, reasons.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

Similarly, because Applicants maintain that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments.

CONCLUSION

In the event the Examiner disagrees with any of statements appearing above with respect to the disclosure in the cited reference, it is respectfully requested that the Examiner specifically indicate those portions of the reference providing the basis for a contrary view.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Applicants respectfully submit that all of the claims are in condition for allowance and requests early passage to issue of the present application.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 

Thomas F. Presson
Reg. No. 41,442
(212) 588-0800